In the Claims

Please amend claim 4 and cancel claims 9 through 17 without prejudice as follows:

1. (Previously presented) A polymeric rigid container for foods and beverages which comprises:

(a) a polymeric substrate shaped to define a container for a food or a beverage;

(b) a first coating layer adhered to at least one surface of the polymeric substrate for retarding the transmission of oxygen and carbon dioxide through the substrate, said first coating layer comprising an organic binder and from 10% up to less than 90% by weight, based on the dry weight of the first coating layer, of an inorganic laminar mineral selected from montmorillonite, laponite, organo-montmorillonite and mixtures thereof, wherein said laminar mineral comprises platelets which are oriented within the first coating layer in a generally parallel three-dimensional and overlapping spaced relationship, and wherein said organic binder is selected from water-soluble or water dispersible organic resins and mixtures thereof; and

(c) a second coating layer adhered to said first coating layer which comprises a curable composition comprising a binder component in an organic solvent.

2. (Original) A polymeric container according to Claim 1 wherein the water-soluble or water dispersible organic binder of the first coating layer is selected from the group consisting of:

(a) homopolyesters; copolyesters; copolyesters derived from a sulpho derivative of a carboxylic acid selected from sulphoterephthalic acid and sulphoisophthalic acid;

(b) linear or branched acrylic resins having a weight average molecular weight of at least 3000;

(c) copolymers of acrylic acid, methacrylic acid and their lower alkyl esters;

(d) polyolefins;

(e) polysaccharides and cellulosic materials selected from cellulose, hydroxymethyl cellulose, carboxymethyl cellulose, amylose, pluran, starch, and hydroxyethyl cellulose;

(f) polyvinyl alcohol;

(g) water based aliphatic or aromatic urethanes;

(h) ethylene-vinyl alcohol copolymer (EVOH); polyvinylidene dichloride (PVDC); polyacrylonitrile (PAN); and polyethyleimine wherein said polyethyleneimine polymers are of number average molecular weight of from 3000 to 100,000;

(i) melamine formaldehyde resin;

(j) acrylic latices;

(k) polyvinyl acetate latices;

(l) polyethylene glycol; and

(m) blends thereof;

and said water soluble or water dispersible organic binder optionally contains (1) a catalyst selected from sulfonic acids, amines, and tin catalysts; and (2) at least one cross-linking agent selected from melamine formaldehyde resin, epoxy resins, isocyanates, aziridenes, carbodiimides, urea formaldehydes, phenolics, silanols, and acids.

3. (Previously presented) A polymeric container according to Claim 2 in which the water-soluble or water-dispersible organic binder is a blend of (i) melamine formaldehyde resin that may optionally include one or more functionalities selected from the group consisting of imino functionality, methylol functionality and alkoxy methyl functionality with (ii) from 5% to 25% by weight, based on the weight of the binder, of an acrylic latex.

4. (Currently amended) A polymeric container according to ~~Claim 2 or~~ Claim 3 in which the binder component of the second coating layer is selected from the group consisting of:

I. (a) acrylic polymers which contain at least two functional hydroxyl groups and are derived from acrylates, methacrylates, styrene, and hydroxyl functional monomers of such acrylates, said acrylic polymers having a weight average molecular weight of between 3,000 and 50,000;

(b) polyester resins having at least two functional hydroxyl groups and a weight average molecular weight of from 1000 to 15,000;

(c) polyester urethanes and acrylo-urethanes having at least two functional hydroxyl groups;

(d) hydroxyl functional linear or branched cycloaliphatic moiety-containing reactive oligomers or a blend of such oligomers; and

II. aliphatic or aromatic isocyanates having at least two functional isocyanate groups where the ratio of isocyanate to hydroxyl functionality is from 0.5 to 3.0, based on equivalents.

5. (Original) A polymeric container according to Claim 4 in which the polymeric substrate is a polyester selected from polyethylene terephthalate homopolymer or a copolymer of ethylene terephthalate wherein up to about 50 mole percent of the copolymer is prepared from the monomer units of diethylene glycol; propane-1,3-diol; butane-1,4-diol; polytetramethylene glycol; polyethylene glycol; polypropylene glycol and 1,4-hydroxymethylcyclohexane substituted for the glycol moiety in the preparation of the copolymer; or isophthalic, dibenzoic; naphthalene 1,4- or 2,6-dicarboxylic; adipic; sebacic; and decane-1,10-dicarboxylic acid substituted for the acid moiety in the preparation of the copolymer.

6. (Original) A polymeric container according to Claim 5 in which the polyester substrate is a polyethylene terephthalate homopolymer or a copolymer

thereof wherein up to 50 mole percent of the copolymer is optionally prepared from isophthalic acid substituted for the acid moiety; the water soluble or water dispersible organic binder of the first coating layer is melamine formaldehyde resin; the inorganic laminar mineral comprises platelets of montmorillonite; and the second coating layer comprises from 80% to 20% by weight of a binder component which is a blend of a hydroxyl component and an aromatic or aliphatic isocyanate.

7. (Original) A polymeric container according to Claim 6 wherein greater than 60% of the laminar mineral platelets have an aspect ratio greater than 150.

8. (Original) A polymeric container according to Claim 7 which is a biaxially oriented PET bottle.

Claims 9 through 17. (Cancelled)